

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----	X	
	:	
JOSPEH SIEGEL, individually and on	:	
behalf of all others similarly	:	
situated,	:	
	:	21cv7693 (DLC)
Plaintiff,	:	
	:	<u>ORDER</u>
-v-	:	
	:	
THE BOSTON BEER COMPANY, INC., DAVID	:	
A. BURWICK, FRANK H. SMALLA, and C.	:	
JAMES KOCH,	:	
	:	
Defendants.	:	
-----	X	
DENISE COTE, District Judge:		

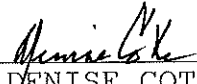
This action was filed on September 14, 2021. On December 14, Ayhan Hassan was appointed Lead Plaintiff pursuant to the Private Securities Litigation Reform Act of 1995 ("PLSRA"), 15 U.S.C. § 78u-4(a)(3). Lead Plaintiff filed the FAC on January 13, 2022. On March 16, the defendants moved to dismiss. In an Opinion and Order of December 5, 2022, the Court granted the defendants' motion to dismiss this case and directed the Clerk of Court to enter judgment for the defendants.

Under the PSLRA, courts are required to make findings as to the compliance by all parties and attorneys with Rule 11(b), Fed. R. Civ. P., at the conclusion of all private actions arising under the Securities Exchange Act of 1934. 15 U.S.C. § 78u-4(c); ATSI Commc'ns, Inc. v. Shaar Fund, Ltd., 579 F.3d

143, 152 (2d Cir. 2009). An Order of December 21 required the plaintiff to file a submission regarding compliance with Rule 11(b) by January 18, 2023 and required the defendants to file any response by February 1. On January 18, the plaintiff submitted proposed findings of fact and conclusions of law regarding the parties' and their counsels' compliance with Rule 11(b). On January 31, the defendants notified the Court that they do not seek the imposition of Rule 11 sanctions.

Having reviewed the parties' submissions, the Court finds that the parties and their counsel at all times acted reasonably and in compliance with the requirements of Federal Rule of Civil Procedure 11(b). See ATSI Commc'ns, Inc., 579 F.3d at 152.

Dated: New York, New York
February 1, 2023



DENISE COTE
United States District Judge